

# **BOONE COUNTY BOARD OF COMMISSIONERS**

## **MINUTES OF THE APRIL 3, 2023 MEETING**

The Boone County Board of Commissioners met in regular session at 9:00 AM on Monday, April 3, 2023 in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Donnie Lawson	Commissioner, President
Jeff Wolfe	Commissioner, Vice President
Tim Beyer	Commissioner
Bob Clutter	County Attorney
Kaylee Jessie	Executive Administrator

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### **DETERMINATION OF QUORUM AND PLEDGE TO THE FLAG**

Commissioner Lawson opened the meeting at 9:01 AM with a quorum of all three (3) Commissioners present and led the Pledge to the Flag in unison.

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### **IN THE MATTER OF MINUTES**

Commissioner Wolfe moved to approve the Minutes of March 20, 2023 Commissioners' Meeting as presented. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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### **IN THE MATTER OF LEGAL ISSUES**

No legal items were presented at today's meeting.

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### **IN THE MATTER OF BID OPENING FOR PROJECT 2023-07 REJUVENATING SURFACE TREATMENT IN VARIOUS TOWNSHIPS**

**BIDDER: RejuvTech Inc.**  
**DATE/TIME RECEIVED: March 29, 2023 at 3:07 PM**  
**BASE BID: \$163,377.50**  
**TOTAL BASE BID PLUS 2 ALTERNATES AMOUNT: \$248,763.75**

Commissioner Wolfe moved to approve taking the bid received under advisement for review by the Boone County Highway Department. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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### **IN THE MATTER OF E-VERIFY MEMORANDUM OF UNDERSTANDING**

Megan Smith, Human Resources Director, presented a Memorandum of Understanding between Boone County and E-Verify to integrate E-Verify with the HRIS system – NeoGov. E-Verify is a program that electronically confirms an employee's eligibility to work in the United States after completion of Form I-9, Employment

Eligibility Verification (Form I-9). This Memorandum of Understanding (MOU) explains certain features of the E-Verify program and describes specific responsibilities of the Employer, the E-Verify Employer Agent, the Social Security Administration (SSA), and the Department of Homeland Security (DHS).

Commissioner Beyer moved to approve the Memorandum of Understanding with E-Verify and authorize Megan Smith to execute the document on behalf of the County. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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#### **IN THE MATTER OF COMFORT SYSTEMS USA PROPOSAL FOR 911 CENTER**

Max Mendenhall, Capital Investments Director, presented the Comfort System USA proposal to install two new split systems to support the 911 dispatch center and data closet for ratification. The total amount of the proposal is \$26,150.00. Commissioner Lawson reviewed and approved the proposal on March 20, 2023.

Commissioner Wolfe moved to approve ratifying the Comfort System USA proposal. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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#### **IN THE MATTER OF LOOMIS BROS EQUIPMENT CO CREDIT APPLICATION**

Max Mendenhall, Capital Investments Director, presented the Loomis Bros Equipment Co credit application for laundry services for the Boone County Jail.

Commissioner Beyer moved to approve the Loomis Bros Equipment Co. credit application. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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#### **IN THE MATTER OF REQUEST TO USE THE COURTHOUSE PROPERTY ON MAY 8<sup>TH</sup> FOR THE ANNUAL POLICE WEEK EVENT**

Mike Beard, Chief Deputy Sheriff, presented the request to use the courthouse property on May 8, 2023 from 5:30 PM to 8:30 PM for the annual Police Week Event. The Boone County Sheriff's Office is coordinating with the City of Lebanon and the Lebanon Police Department to close off some of the surrounding streets to traffic during the time of the event.

Commissioner Wolfe moved to approve the request to use the courthouse property on May 8, 2023 from 5:30 PM to 8:30 PM for the annual Police Week Event. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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#### **IN THE MATTER OF WSP USA INC PROFESSIONAL SERVICES AGREEMENT**

Nick Parr, Highways Director, presented the Professional Service Agreement and Task Order #1 with WSP for independent technical review of geotechnical report and payment design reports of CR 150 W, CR 450 N and CR 275 N in the area of the Indiana Economic Development Corporation's (IEDC) LEAP Site. The cost of these services will be reimbursed by Pure Development and IEDC.

Commissioner Beyer moved to approve the Professional Service Agreement and Task Order #1 with WSP. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

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## **IN THE MATTER OF IEDC MEMORANDUM OF UNDERSTANDING WITH CITY OF LEBANON REGARDING LEAP DISTRICT PHASE I ROAD IMPROVEMENTS**

Nick Parr, Highways Director, commented on the Memorandum of Understanding (MOU) with the City of Lebanon regarding the LEAP District Phase I Improvements. The City of Lebanon and the Indiana Economic Development Corporation (IEDC) have discussed entering into an MOU to provide parameters and set forth mutual understandings for the coordinated improvements, construction and development of road infrastructure associated with and serving the LEAP Lebanon Innovation and Research Park Phase 1. The request from the County is to be included in the MOU as well due to the roads being under the County's jurisdiction. Bob Clutter, County Attorney, has been in discussion with their legal counsel regarding the MOU. The Road Improvements to be completed are summarized as follows: reconstructed and widened with two asphalt paved travel lanes, shoulders, roadside drainage improvements, required turn lanes, shared middle turn lanes, intersection improvement, concrete sidewalks, and appropriate railroad crossing upgrades. The County has not received a final copy of the MOU. No action was taken on this item.

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## **IN THE MATTER OF OLD BUSINESS**

### **1) BURGESS & NIPLE CONSTRUCTION INSPECTION AGREEMENT**

Nick Parr, Highways Director, presented the Master Services Agreement and Task Order #1 with Burgess & Niple, Inc. (B&N) for construction inspection services for infrastructure improvements in the area of the Indiana Economic Development Corporation (IEDC) LEAP site. The cost for these services will be reimbursed by Pure Development and IEDC.

Commissioner Wolfe moved to approve the Master Services Agreement and Task Order #1 with Burgess & Niple, Inc. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

### **2) BUTLER FAIRMAN & SEUFERT CONSTRUCTION INSPECTION AGREEMENT**

Nick Parr, Highways Director, presented an agreement with Butler Fairman and Seufert (BF&S) for construction inspection services for infrastructure improvements in the area of the Indiana Economic Development Corporation's (IEDC) LEAP site. The work to be completed for the construction inspection will be on an hourly basis for a not to exceed amount of \$1,071,900 without further authorization. The cost for these services will be reimbursed by Pure Development and IEDC.

Commissioner Wolfe moved to approve the construction inspection services agreement with BF&S. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

### **3) PURE DEVELOPMENT REIMBURSEMENT AGREEMENT**

Nick Parr, Highways Director, presented an agreement with Pure Development for the reimbursement of construction oversight inspection services provided by BF&S and B&N for the LEAP Improvements.

Commissioner Wolfe moved to approve the reimbursement agreement with Pure Development. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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## IN THE MATTER OF STAFF REPORTS

- Area Plan Commission – Stephen Elkins
- Capital Investments / Facilities – Max Mendenhall
- Health Department – Lisa Younts / Abby Messenger
- Highway Department – Nick Parr
- Human Resources – Megan Smith
- IT Support – GUTS
- Project Manager – Mike Nielsen
- Other Elected Officials

***Mike Nielsen, Project Manager presented the following items:***

- 1) An update on the Boone County Justice Center Project (BCJC). There have been zero reportable accidents. They are getting ready to install a temporary water bypass line, which means they will be shut down at the jail from an operational standpoint for about 4-6 hours during the installation. He has been working closely with the Boone County Sheriff's Office on this matter. They will also need to hire a Lebanon Firefighter to do fire watch during that period. He also continues to work with the Risk Management Team with the County's insurance company to do site visits during construction. Final construction drawings were received last week. Most of the work completed to date has been civil or excavating. The team has been working closely with the Surveyor's Office and Civil Engineering Construction. The Boone County Sheriff's Office command staff has successfully been relocated to the Boone County Fairgrounds in temporary office trailers. Mike thanked the command staff for their assistance during the transition. Demolition of the administration offices in the jail have begun. He will be meeting with Lebanon Utilities to work on connection fees.
- 2) An update on the TimeClock Plus (TCP) system. The scope of the project has been defined by two phases. Phase I is to implement all county employees into the system, excluding the Sheriff's office and courts. The county employees will be able to accurately keep track of their time per State Board of Accounts (SBoA) and the County Auditor requirements. The system will also accurately track PTO hours. Phase II is the integration of TCP data into the County's financial software system – CYMA. The implementation team – Mike Nielsen (Project Manager), Megan Smith (Human Resources Director), Debbie Crum (County Auditor), and Curt Grasso (GUTS) – has met with every department head. By the end of this week, they will have successfully implemented all the departments. There will be a training on April 17<sup>th</sup> for department heads. The Human Resources Office has created user manuals for admins and employees.

***Nick Parr, Highways Director presented the following items:***

- 1) Construction in right-of-way permit (#202310026) for StructurePoint for LEAP at CR 150 W from CR 300 N to CR 375 N for the installation of 24" Water Main for Lilly. The Boone County Highway Department recommends a conditional approval coordinating dates/times and signage details with the highway department. A Bond in the amount of \$25,000. Jeff with StructurePoint gave an overview of what was discussed at the preconstruction meeting that was held last week. Their intent is to have two closures on CR 300 after Memorial Day. They have investigated other options but believe the best solution is for an open road cut on CR 300. The first crossing of CR 300 would be a complete closure for a one-week duration. The crossing of Witt Road would be a one lane closure for one-week duration. Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310026) for StructurePoint. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 2) Construction in right-of-way permit (#202310028) for Everstream Solutions, LLC at 6866 W. Stonegate Drive to provide customer fiber services via directional bore. The Boone County Highway Department recommends approval of the permit with a \$21,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310028) for Everstream Solutions, LLC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 3) Construction in right-of-way permits (#2023100289 & 202310031) for AT&T at Witt Road from Austin Drive to CR 250 N to provide customer fiber services via directional bore. The Boone County Highway Department recommends approval of the permit with a \$20,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permits (#2023100289 & 202310031) for AT&T. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 4) Construction in right-of-way permits for Atlas Technical Consultants LLC for IEDC

- a. (Permit #202310030) At CR 150 W from CR 450 N to SR 47 for vertical soil borings in various locations for reconstruction investigations.
- b. (Permit #202310033) At CR 375 N from CR 150 W to SR 39 for vertical soil borings in various locations for reconstruction investigations.
- c. (Permit #202310034) At CR 450 N from CR 150 W to SR 39 for vertical soil borings in various locations for reconstruction investigations.

Commissioner Beyer moved to approve the construction in right-of-way permits (#202310030, 202310033, and 202310034) for Atlas Technical Consultants LLC. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 5) Construction in right-of-way permit (#202310032) for Capehart Landscape and Design at 6635 Deerfield Drive in Stonegate for an equipment crossing curb and sidewalk project. The Boone County Highway Department recommends approval of the permit with a \$10,000 Bond.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310032) for Capehart Landscape and Design. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 6) Construction in right-of-way permit (#202310035) for Citizens Energy Groups at 7640 The Commons in Stonegate for a water hydrant replacement. The Boone County Highway Department recommends approval of the permit with a \$10,000 Bond.

Commissioner Wolfe moved to approve the construction in right-of-way permit (#202310035) for Citizens Energy Groups. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 7) Construction in right-of-way permit (#202310036) for Reith-Riley Construction for City of Lebanon at the Big 4 Trail from CR 350 W to Serum Plan Road for the Big 4 Trail expansion project. The Boone County Highway Department recommends approval and waive the Bond fee.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310036) for Reith-Riley Construction. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

- 8) Construction in right-of-way permit (#202310037) for TPI Utility at 2160 W 800 N for the installation of Drainage Tile. The Boone County Highway Department recommends approval of the permit with a \$15,000 Bond.

Commissioner Beyer moved to approve the construction in right-of-way permit (#202310037) for TPI Utility. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**9)** The following construction in right-of-way permits for release:

- (#202110014) for TDS Telecom
- (#202110015) for TDS Telecom
- (#202210011) for TDS Telecom
- (#202020034) for Wabash Valley
- (#20202006) for Wabash Valley
- (#220212004-5) for Wabash Valley

Commissioner Wolfe moved to approve releasing the permits as submitted. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**10)** Road closure permit (#202330006) for Brittney Plunket at Westminster Drive in Stonegate from April 8, 2023 from 9:30 AM to 12:30 PM for a Community Easter Egg Hunt. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the road closure permit (#202330006) for Brittney Plunket. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**11)** Road closure permit (#202330007) for StructurePoint for the LEAP project

- Intersection of CR 300 N at CR 150 W. The closure beginning on April 13, 2023 for 14-21 Days
- Intersection of CR 150 W at CR 300 N. The closure following opening CR 300 N for 14-21 Days

Commissioner Beyer moved to approve the road closure permit (#202330007) for StructurePoint. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**12)** Road closure permit (#202330008) for Reith-Riley Construction for the City of Lebanon at the Big 4 Trail crossing location. The closure dates are to be determined. The Boone County Highway Department recommends approval.

Commissioner Wolfe moved to approve the road closure permit (#202330008) for Reith-Riley Construction. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**13)** Tipmont REMC reimbursement agreement for the costs incurred by them for the relocation of their facilities. The replacement of the structure requires the relocation which is in a recorded easement. The reimbursement agreement is for the amount of \$12,000.

Commissioner Wolfe moved to approve Tipmont REMC reimbursement agreement. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**14)** An agreement with Indiana Department of Transportation (INDOT) for the reimbursement of costs related to damage repair on the listed Unofficial Local Detour for CR 1100 W and CR 550 N.

Commissioner Wolfe moved to approve the reimbursement agreement with INDOT. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

**15)** An agreement with Indiana Department of Transportation (INDOT) for the reimbursement of costs related to damage repair on the listed Unofficial Local Detour for CR 1100 W, CR 550 N, CR 1000 W.

Commissioner Beyer moved to approve the reimbursement agreement with INDOT. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.

**16)** Miller Trucking & Excavation LLC proposal to install a temporary driveway along CR 300 S for utility relocation on Bridge No. 192 for acknowledgement/ratification. No further action required.



## IN THE MATTER OF DOCUMENT SIGNING

- 1) Notification of de-obligation of Federal and State Transit Funds letter. This letter serves as the Grant Close Out and De-obligation Notification for the following INDOT Transit Grants (as applicable):
- **January 01, 2022 – December 31, 2022; Section 5311 Operating Funds**
  - **January 01, 2022 – December 31, 2022; 5339 Discretionary Capital Equipment Funds**
  - **January 01, 2022 – December 31, 2022; State PMTF**

The Indiana Department of Transportation will de-obligate the following Federal Transit Administration and State Transit Funds which represent the unexpended balance within CY2022 grant projects.

<b>FUNDING SOURCE</b>	<b>INDOT Purchase Order #</b>	<b>De-obligated (Unclaimed) Amount</b>
FTA 5311 OPERATING FUNDS	20077543	\$56,912.00
FTA 5339 CAPITAL EQUIPMENT FUNDS	20077543	\$0.00
State PMTF	20077543	\$0.00

Commissioner Wolfe moved to approve Notification of de-obligation of Federal and State Transit Funds letter. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

- 2) Claims Dockets – regular, prepays, payroll, and insurance.  
Commissioner Wolfe moved to approve Budgetary Claims presented from the Auditor’s Office. Motion seconded by Commissioner Beyer; motion passed unanimously 3-0.

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## IN THE MATTER OF MAIL

See (**Appendix #3**) for a list of mail opened by the Commissioners on this date.

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## IN THE MATTER OF ADJOURNMENT

With no further business, Commissioner Beyer moved to adjourn the Boone County Commissioners’ Meeting at 10:03 AM on Monday, Wolfe, 2023. Motion seconded by Commissioner Wolfe; motion passed unanimously 3-0.